



Patent
Attorney's Docket No. 068.0002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Attorney's Docket No.:

Louis MORRISON, III et al.

068.0002

Filed: June 28, 2001

Serial No.: 09/895,009

For: SYSTEM FOR FACILITATING PRICING, SALE
DISTRIBUTION OF FUEL TO A CUSTOMER

Group No.: 2161

Examiner: Unassigned

**TRANSMITTAL LETTER FOR NOTICE TO FILE MISSING PARTS
(NONPROVISIONAL) APPLICATION**

BOX: MISSING PART

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Notice To File Missing Parts of Nonprovisional Application under 27 CFR 1.53(b) dated August 27, 2001, enclosed please find:

- The basic filing fee \$740.00;
- Total additional claim fee(s) \$0.00;
- Non-small entity fee for filing late Declaration \$130.00;
- Check enclosed to cover the balance due by applicant \$870.00;
- Combined Declaration and Power of Attorney;
- an executed Declaration Claiming Small Entity Status;
- a Petition for Extension of Time;
- a verified English translation of the Application, and the \$130.00 fee as set forth in 37 C.F.R. § 1.17(k);
- an Assignment document and the \$40.00 Assignment Recording Fee;
- other: Submission of Revised Drawings together with Fig. 5B;
- Substitute Specification;

Transmittal Letter for Missing Parts of Application
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The Commissioner is hereby authorized to contact the undersigned if additional fees are deemed due or overpayment is made. This paper is submitted induplicate.

Respectfully submitted,

ERIK B. CHERDAK & ASSOCIATES, LLC

By: _____
Erik B. Cherdak
Registration No. 39,936

11300 Rockville Pike, Suite 906
Rockville, Maryland 20852
(301) 984-4700

Date: January 28, 2002

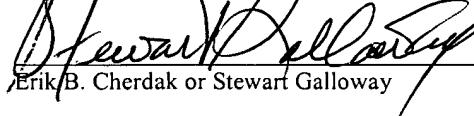


CERTIFICATE OF MAILING
via U.S. EXPRESS MAIL

Erik B. Cherdak or Stewart Galloway, certify that I deposited the below-listed documents with the U.S. EXPRESS Mail Post Office to Addressee service, postage pre-paid, to be delivered to the Assistant Commissioner for Patents, Washington, DC 20231 on the date indicated next to my signature below.

Documents Submitted by EXPRESS Mail Post Office to Address Service:

<input type="checkbox"/> pages of Specification (not including title page)	<input checked="" type="checkbox"/> Check in the amount of <u>\$870.00</u> is enclosed
<input type="checkbox"/> pages of Claims	<input checked="" type="checkbox"/> Petition for Extension of Time (3 Mos.)
<input type="checkbox"/> page of Abstract	<input checked="" type="checkbox"/> Check in the amount of <u>\$920.00</u> is enclosed
<input type="checkbox"/> sheet(s) of drawing(s)	<input checked="" type="checkbox"/> Certificate of Mail
<input type="checkbox"/> Continued Prosecution Application Request	<input type="checkbox"/> Submission of English Translation of a non-English
<input type="checkbox"/> Executed Small Entity Statement	
<input checked="" type="checkbox"/> Assignment Recordation with <u>\$40.00</u> fee included	<input type="checkbox"/> Substitute Specification
<input checked="" type="checkbox"/> Executed Assignment	<input type="checkbox"/> ISSUE FEE TRANSMITTAL
<input checked="" type="checkbox"/> Declaration for Utility Patent Application	<input type="checkbox"/> Response and Amendment
<input checked="" type="checkbox"/> Transmittal Letter for Missing Parts of Application	
<input checked="" type="checkbox"/> Revised Drawings (35 sheets)	
<input type="checkbox"/> Petition for Revival of an Application for Patent Abandoned (\$0.00)	



Erik B. Cherdak or Stewart Galloway

DATE OF DEPOSIT: 1/28-01

Attorney Docket No. 068.0002

Application Serial No.: 09/895,009

Filing Date: June 28, 2001



01-30-02

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SECTOR

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/895,009 /	06/28/2001	Louis Morrison III	068.0002

CONFIRMATION NO. 3675
FORMALITIES LETTER



OC000000006475121

Erik B. Cherdak & Associates, LLC
11300 Rockville Pike, Suite 906
Rockville, MD 20852

Date Mailed: 08/27/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/04/2002 BABRAHA1 00000125 09895009

01 FCG 01
02 FCG 05740.00 OP
130.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **5B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and

Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

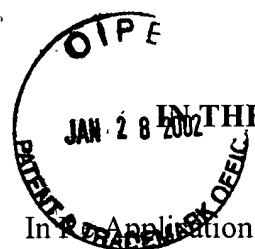
In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



In Re Application of:

Attorney's Docket No.:

Louis MORRISON, III et al.

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Filed: June 28, 2001

Serial No.: 09/895,009

For: SYSTEM FOR FACILITATING PRICING, SALE
DISTRIBUTION OF FUEL TO A CUSTOMER

Group No.: 2161

Examiner: Unassigned

SUBMISSION OF REVISED DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Notice To File Missing Parts (Nonprovisional) Application mailed August 27, 2001, requesting revised drawings, please enter the attached thirty-five (35) sheets of revised drawings.

The Commissioner is hereby authorized to contact the undersigned for any overpayment or underpayment.

Respectfully submitted,

ERIK B. CHERDAK & ASSOCIATES, LLC

By:

Erik B. Cherdak
Registration No. 39,936

11300 Rockville Pike, Suite 906
Rockville, Maryland 20852
(301) 984-4700
(301) 984-7696
Date: January 28, 2002